

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	CV 11-07098-ABC (SHx)	Date	June 27, 2014
Title	<u>Perfect 10 Inc. v. Giganews, Inc., et al.,</u>		

Present: The Honorable	Stephen J. Hillman		
Sandra Butler			
Deputy Clerk		Court Reporter / Recorder	Tape No.
Attorneys Present for Plaintiffs:		Attorneys Present for Defendants:	
N/A		N/A	

Proceedings: (IN CHAMBERS)

Defendant's Ex Parte Application seeks several court orders, most of which are premature and/or unworthy of Ex Parte resolution. The Ex Parte Application is resolved as follows:

All parties will be presumptively permitted to seek discovery compliance limited to Orders which this court has issued prior to this date. If the particular Motion is found to be tardy, the court will deal with it at that time.

Obviously, the court overlooked ruling on the Motion to Compel as to Interrogatory 9. It is now Denied, for the reasons Perfect 10 set forth in the Joint Stipulation.

As to Interrogatory 2, the Motion for Clarification is premature. The court will await service of the spreadsheet, so that all parties may consider whether it is compliant with the court's order. The compliance date for Interrogatory is the discovery cutoff date.

As to the June 5, 2014 Order Granting defendants' Motion to Compel Discovery From Third Party Witnesses, defendants did not engage in improper ex parte communication with the court.

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The Proposed Amended Order lodged with the Clerk was intended simply to add Appendices, but apparently due to clerical error by Giganews' law firm, the Amended Order contained language actually imposing sanctions on the third parties. Counsel are directed to meet and confer, and then jointly lodge a Second Amended Order which tracked the court's original Order (deferring sanctions). The court regrets the error in signing the Amended Order without carefully reviewing it.

cc: District Judge Collins
Magistrate Judge Hillman
Counsel of Record*
*the term "counsel" as used herein also includes any pro se party.
See Local Rule 2.9.3.

Initials of Preparer

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